

**ISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

LADARIUS D. MCGEE,

Plaintiff,

v.

Case No. 24-CV-435-JPS

MERRICK B. GARLAND,
ELIZABETH M. MONFILS, and
CHRISTOPHER WRAY,

Defendants.

ORDER

Plaintiff Ladarius D. McGhee, a prisoner confined at Columbia Correctional Institution, filed a pro se complaint under 42 U.S.C. § 1983 alleging that his constitutional rights were violated. ECF No. 1. On October 29, 2024, Magistrate Judge William E. Duffin issued a recommendation to this Court that this action be dismissed for the failure to state a claim, to issue Plaintiff a strike under 28 U.S.C. § 1915(g), and to deny the motion for emergency relief as moot. ECF No. 13. The time for objecting to the recommendation has passed and no objection has been received. *See* Fed. R. Civ. P. 72; Gen. L.R. 72(c).

The Court has considered the recommendation and, in light of its agreement with Magistrate Judge Duffin's analysis and without objection from Plaintiff, will adopt it.

Accordingly,

IT IS ORDERED that Magistrate Judge William E. Duffin's report and recommendation, ECF No. 13, be and the same is hereby **ADOPTED**;

IT IS FURTHER ORDERED that this case be and the same is hereby **DISMISSED** under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b)(1) for the failure to state a claim;

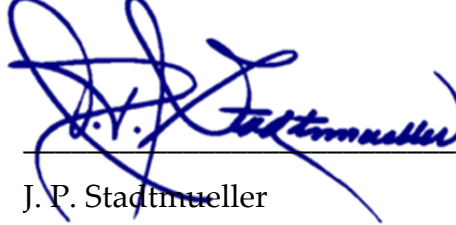
IT IS FURTHER ORDERED that the Clerk of Court document that this inmate has incurred a “strike” under 28 U.S.C. § 1915(g); and

IT IS FURTHER ORDERED that Plaintiff’s motion for emergency relief, ECF No. 12, be and the same is hereby **DENIED as moot**.

The Clerk of the Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 14th day of November, 2024.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line.

J. P. Stadtmueller
U.S. District Judge